

1  
2  
3  
4  
5  
6  
7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 CHRISTOPHER MILLER,

11 Petitioner,

12 v.

13 JEFFREY A. UTTECHT,

14 Respondent.

CASE NO. C16-0406JLR


ORDER

15 The court, having reviewed Petitioner Christopher Miller's 28 U.S.C. § 2254  
16 habeas petition (Dkt. # 1), the Report and Recommendation of the Honorable Brian A.  
17 Tsuchida, United States Magistrate Judge (Dkt. # 18), Mr. Miller's objections to the  
18 Report and Recommendation (Dkt. # 19), and the balance of the record, finds and orders  
19 as follows:

- 20 1. The Report and Recommendation is **ADOPTED**;
- 21 2. Petitioner's 28 U.S.C. § 2254 habeas petition is **DENIED**;
- 22 3. Petitioner is **DENIED** issuance of a certificate of appealability; and

4. The Clerk shall send a copy of this order to the parties and to Judge Tsuchida.

Dated this 21<sup>st</sup> day of September, 2016.

  
JAMES L. ROBERT  
United States District Judge